

FILED

OCT 08 2014


Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

DONALD E. MOELLER,

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CIV 04-4200

Plaintiff,

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vs.

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NOTE TO FILE

DOUGLAS WEBER, Warden,
South Dakota State Penitentiary,
DENNIS KAEMINGK, Secretary of
the South Dakota Department of
Corrections in his official capacity,
and DOES 1-20, unknown employees or
agents of the South Dakota Department
of Corrections,

*

Defendants.

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The Court was furnished with two sets of documents by the Office of South Dakota Attorney General on behalf of the Defendants. One set was marked with brackets around suggested redactions so the Court could see what was redacted for the Court's *in camera* review (Set 1). If the Court approved the redactions suggested by the Defendants, the second set (Set 2) was marked with redactions to show those suggested redactions surrounded by brackets in the set reviewed by the Court *in camera* (Set 1).

The Court and staff each have reviewed each set of the documents furnished, the *in camera* set (Set 1) and compared those documents with the redacted set (Set 2). In some instances an additional word was redacted from Set 2 as opposed to Set 1 reviewed by the Court *in camera*, however, the additional words that were redacted in Set 2 were insignificant, did not change meaning, and remained as redacted even though they were in addition to what had been provided to the Court for *in camera* review of suggested redactions in Set 1.

In some other instances a word or words that had been marked with brackets for redaction in the Court's *in camera* set of documents (Set 1) had not been redacted in the redacted copy to be unsealed (Set 2). In each such instance, a redaction was added to Set 2 only after review by the Court of each addition to the redactions in Set 2. Those additions to the redacted copy, Set 2, were insignificant and did not change meaning.

Dated this 8th day of October, 2014.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: Deb Peterson
DEPUTY